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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/734,782	12/12/2000	Nigel J. Byrnes	PHB 34,441	4704

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EXAMINER

BAROT, BHARAT

ART UNIT	PAPER NUMBER
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2155

DATE MAILED: 04/30/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

5

Office Action Summary

Application No.

09/734,782

Applicant(s)

BYRNES ET AL.

Examiner

Bharat N Barot

Art Unit

2155

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 12 December 2000.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-16 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-16 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date 06.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

DETAILED ACTION

Specification

1. The title of the invention is not descriptive. A new title is required that is clearly indicative of the invention to which the claims are directed.

Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless --

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

The changes made to 35 U.S.C. 102(e) by the American Inventors Protection Act of 1999 (AIPA) do not apply to the examination of this application as the application being examined was not (1) filed on or after November 29, 2000, or (2) voluntarily published under 35 U.S.C. 122(b). Therefore, this application is examined under 35 U.S.C. 102(e) prior to the amendment by the AIPA (pre-AIPA 35 U.S.C. 102(e)).

3. Claims 1, 12, and 15-16 are rejected under 35 U.S.C. 102(e) as being anticipated by Liao et al (U.S. Patent No. 6,292,833). Liao's patent meets all the limitations for claims 1, 12, and 15-16 recited in the claimed invention.

4. As to claim 1, Liao et al disclose a system for controlling an apparatus having a dedicated user interface (704), parts of the dedicated user interface communicating with each other using a dedicated user interface message protocol (figures 1, 6, and 7A; column 4 line 27 to column 5 line 30; column 6 line 19 to column 13 line 22; and column 13 lines 23-55), the system comprising a browser (620) adapted to display a generic user interface (752), to issue requests due to user interaction with the generic user interface and to accept notifications comprising data or events (figures 6 and 7B; column 12 line 48 to column 13 line 8; and column 13 line 56 to column 14 line 29), and a translation system (608,700) configured to receive issued requests, to translate the requests and to communicate them using the dedicated user interface message protocol to one of the parts of the dedicated user interface, and to receive communications from the parts of the dedicated user interface using the dedicated user interface message protocol, to translate the communications into notifications and to pass them to the browser (figures 6 and 7A; column 12 lines 28-47; and column 13 lines 23-55).

5. As to claim 12, it is also rejected for the same reasons set forth to rejecting claim 1 above, since claim 12 is merely a method of operation for controlling an apparatus defined in the claim 1.

6. As to claims 15-16, Liao et al disclose a computer readable storage medium including a program of instructions encoding the system of claim 1 and the method of claim 12 (figures 6, 7A, and 7B; column 12 lines 40-47; column 13 lines 2-8 and 46-55; and column 14 lines 15-29).

Claim Rejections - 35 USC § 103(a)

7. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(f) or (g) prior art under 35 U.S.C. 103(a).

8. Claims 2-11 and 13-14 are rejected under 35 U.S.C. 103(a) as being unpatentable over Liao et al (U.S. Patent No. 6,292,833) in view of Laursen et al (U.S. Patent No. 6,233,608).

9. As to claim 2, Liao et al disclose that the browser includes a communications handler configured to accept notifications comprising data or events and to issue the requests due to user interaction with the generic user interface (figures 6 and 7B; column 12 line 48 to column 13 line 8; and column 13 line 56 to column 14 line 29).

However, Liao et al do not explicitly disclose that the browser includes a communications handler determines the request type and if the request relates to World Wide Web browsing the communications handler transmits the request to a World Wide Web server otherwise the communications handler passes the request to the translation system.

Laursen et al explicitly disclose that the browser includes a communications handler determines the request type and if the request relates to World Wide Web browsing the communications handler transmits the request to a World Wide Web server otherwise the communications handler passes the request to the translation system (abstract; figures 1-2s; column 3 lines 55-65; and column 15 lines 25-64).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate the teaching of Laursen et al as stated above with the browser of Liao et al because it would have increased the system efficiency and internal processing speed to improved the network latency.

10. As to claims 3-4, Laursen et al disclose that the browser is a World Wide Web micro-browser and an HDML micro browser (abstract; and column 15 lines 25-32 and 43-50).

11. As to claims 5-6, Liao et al disclose that the requests issued due to user interaction with the generic user interface comprise HDML Get messages; and the requests relating to the generic user interface comprise applicative messages embedded within the HDML Get messages (column 5 lines 14-30; column 6 lines 22-35; column 8 lines 15-34; and column 9 lines 10-22).

12. As to claim 7, Liao et al disclose that the translation system is configured to retrieve the applicative message from the HDML Get messages, attach it to an electronic delivery envelope determined in dependence on the type of the applicative message in accordance with the dedicated user interface message protocol and to communicate it to one of the parts of the dedicated user interface (figures 5-6; column 10 line 32 to column 11 line 40; and column 12 lines 27-47).

13. As to claims 8-9, Liao et al disclose that the notifications comprise HDML x-up-notify messages; and the notifications relating to the generic user interface comprise applicative messages embedded within the HDML x-up-notify messages (figures 3A-3B; and column 6 line 22 to column 7 line 54).

14. As to claims 10-11, Liao et al disclose that a received communication from the parts of the dedicated user interface comprise one or more applicative messages attached to an electronic delivery envelope in accordance with the dedicated user interface message protocol, wherein the translation system is configured to retrieve the applicative message(s), embed them within an x-up-notify message and pass the message to the communications handler; and the communications handler includes a page generator, wherein the communications handler passes received x-up-notify messages to the page generator which, in dependence on the embedded applicative message(s) generates an HDML page and passes the HDML page within an x-up-notify message to the browser for action (figures 6-7s; column 9 lines 10-22; and column 2 line 19 to column 14 line 29).

15. As to claims 13-14, they are also rejected for the same reasons set forth to rejecting claims 2 and 10-11, since claim 13-14 are merely a method of operation for controlling an apparatus defined in the claims 2 and 10-11.

Additional Reference

16. The examiner as of general interest cites the following reference.

- a. Laursen et al, U.S. Patent No. 6,292,657.

Contact Information

17. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Bharat Barot whose telephone number is (703) 305-4092. The examiner can normally be reached on Monday-Friday from 9:30 AM to 6:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Alam, Hosain, can be reached at (703) 308-6662. A central official fax number is (703) 872-9306.

Any inquiry of general nature or relating to the status of this application should be directed to the group receptionist whose telephone number is (703) 305-3900.



**BHARAT BAROT
PRIMARY EXAMINER**

Patent Examiner Bharat Barot

Art Unit 2155

April 27, 2004